

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Steven J. Noland Sr.**  
aka Steven James Noland Sr., aka Steven Noland Sr.  
**Linda J. Noland**  
aka Linda Jean Noland  
Debtor(s)

Bankruptcy Case No.: 19-70033-JAD  
Issued Per Nov. 7, 2019 Proceeding  
Chapter: 13  
Docket No.: 64 - 17, 63  
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated February 21, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. *A final plan conciliation conference will be held on at , in .* If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: PA Department of Revenue at Claim No. 2; Cambria County Tax Claim Bureau at Claim No. 10 .
- H. Additional Terms: The secured claims of First National Bank of Pennsylvania (Claim No. 7) and Bayview Loan Servicing, LLC (Claim No. 21) shall govern as to claim amount, to be paid at the modified plan terms.  
The claim of U.S. Department of Housing and Urban Development (Claim No. 23) to be treated as timely filed.

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

- A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.
- B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).
- C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.
- D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.
- E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.
- F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any *secured claim* that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: November 18, 2019

Jeffery A. Deller  
United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk in seven (7) days

**Certificate of Notice Page 4 of 6**  
 United States Bankruptcy Court  
 Western District of Pennsylvania

In re:  
 Steven J. Noland, Sr.  
 Linda J. Noland  
 Debtors

Case No. 19-70033-JAD  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-7

User: jhel  
 Form ID: 149

Page 1 of 3  
 Total Noticed: 55

Date Rcvd: Nov 18, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 20, 2019.

db/jdb +Steven J. Noland, Sr., Linda J. Noland, 600 Portage Road, Cresson, PA 16630-1502  
 cr +Dep't of Revenue Office of Attorney General, Anthony T. Kovalchick, 1251 Waterfront Place, Mezzanine Level, Pittsburgh, PA 15222-4227  
 14983592 ++1ST SUMMIT BANK, PO BOX 5480, JOHNSTOWN PA 15904-5480  
 (address filed with court: 1st Summit Bank, Attn: Collection Dept., P.O. Box 5480, 125 Donald Lane, Johnstown, PA 15904)  
 14983594 +Cambria County Property Tax, 200 South Center Street, Ebensburg, PA 15931-1941  
 15004742 +Cambria County Tax Claim Bureau, 200 South Center Street, Ebensburg, PA 15931, (15931-1941)  
 15011242 Capital One, N.A., c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701  
 14983597 Chase Bank, PO Box 15298, Wilmington, DE 19850-5298  
 15018681 +Chase Bank USA, N.A., c/o Robertson, Anschutz & Schneid, P.L., 6409 Congress Avenue, Suite 100, Boca Raton, FL 33487-2853  
 14983602 +First National Bank of Pennsylvania, 4140 E. State Street, Hermitage, PA 16148-3401  
 14997881 Geisinger, 100 North Academy Ave, Danville, PA 17822-3941  
 14983603 +Hud Title I, Hud Title I - Bankruptcy Notice, 451 7th Street Sw, Washington, DC 20410-0002  
 15074136 +K. JORDAN Credit Dept., 913 1st Avenue, Chippewa Falls, WI 54729-1402  
 15074134 +MASSEYS Credit Dept., 1251 1st Avenue, Chippewa Falls, WI 54729-1691  
 15074139 +Miles Kimball Company, 250 City Center, Oshkosh, WI 54906-0001  
 14997883 +UPMC Altoona, Receivables Outsourcing, LLC, PO Box 549, Timonium MD 21094-0549  
 15010613 UPMC Health Services, PO Box 1123, Minneapolis, MN 55440-1123  
 14983614 +USAA Federal Savings Bank, Attn: Bankruptcy, 10750 McDermott Freeway, San Antonio, TX 78288-1600  
 14997882 +iCare Medical, LLC, 167 Zeman Dr, Ebensburg PA 15931-4103

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr +E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Nov 19 2019 03:48:19  
 PRA Receivables Management LLC, POB 41067, Norfolk, VA 23541-1067  
 15074138 +E-mail/Text: bankruptcy@sccompanies.com Nov 19 2019 03:43:48 Amerimark, 6864 Engle Road, Middleburg Hts., OH 44130-7910  
 14983593 +E-mail/Text: bkmailbayview@bayviewloanservicing.com Nov 19 2019 03:46:04  
 Bayview Financial Loan, Attn: Bankruptcy Dept, 4425 Ponce De Leon Blvd. 5th Floor, Coral Gables, FL 33146-1873  
 15025491 +E-mail/Text: bkmailbayview@bayviewloanservicing.com Nov 19 2019 03:46:04  
 Bayview Loan Servicing, LLC, 4425 Ponce de Leon Blvd, 5th Floor, Coral Gables, FL 33146-1837  
 14983596 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Nov 19 2019 03:48:14 Capital One, Capital One Retail Svrs/Attn: Bankruptcy, Po Box 30258, Salt Lake City, UT 84130-0258  
 14983595 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Nov 19 2019 03:49:17 Capital One, Attn: Bankruptcy, PO Box 30285, Salt Lake City, UT 84130-0285  
 14998471 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Nov 19 2019 03:47:06 Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083, Charlotte, NC 28272-1083  
 14983598 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Nov 19 2019 03:45:28 Comenity Bank/Blair, Attn: Bankruptcy Dept, PO Box 182125, Columbus, OH 43218-2125  
 14983599 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Nov 19 2019 03:45:28 Comenity Bank/f11beauty, Attn: Bankruptcy Dept, Po Box 182125, Columbus, OH 43218-2125  
 14986776 E-mail/Text: mrdiscren@discover.com Nov 19 2019 03:45:16 Discover Bank, Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025  
 14983600 +E-mail/Text: mrdiscren@discover.com Nov 19 2019 03:45:16 Discover Financial, PO Box 3025, New Albany, OH 43054-3025  
 14983601 +E-mail/Text: bnc-bluestem@quantum3group.com Nov 19 2019 03:46:07 Fingerhut, Attn: Bankruptcy, PO Box 1250, Saint Cloud, MN 56395-1250  
 15074137 E-mail/Text: bankruptcy@sccompanies.com Nov 19 2019 03:46:22 Ginny's Credit, 1112 7th Avenue, Monroe, WI 53566-1364  
 15061851 +E-mail/Text: james.r.shear@hud.gov Nov 19 2019 03:46:17 HUD, 52 Corporate Circle, Albany, NY 12203-5166  
 14983604 E-mail/Text: cio.bncmail@irs.gov Nov 19 2019 03:45:23 Internal Revenue Service, PO Box 7346, Philadelphia, PA 19101-7346  
 14997468 E-mail/Text: JCAP\_BNC\_Notices@jcapi.com Nov 19 2019 03:45:56 Jefferson Capital Systems LLC, PO Box 7999, Saint Cloud Mn 56302-9617  
 14983605 E-mail/Text: JCAP\_BNC\_Notices@jcapi.com Nov 19 2019 03:45:56 Jefferson Capital Systems, LLC, PO Box 1999, Saint Cloud, MN 56302  
 14983606 +E-mail/Text: bncnotices@becket-lee.com Nov 19 2019 03:45:21 Kohls/Capital One, Kohls Credit, PO Box 3120, Milwaukee, WI 53201-3120  
 15024836 E-mail/PDF: resurgentbknotifications@resurgent.com Nov 19 2019 03:48:25 LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587  
 15003389 +E-mail/Text: bankruptcypdt@mcmcg.com Nov 19 2019 03:45:44 Midland Funding LLC, PO Box 2011, Warren, MI 48090-2011  
 14983607 +E-mail/Text: bankruptcypdt@mcmcg.com Nov 19 2019 03:45:44 Midland Funding, LLC, 2365 Northside Drive, Suite 300, San Diego, CA 92108-2709

District/off: 0315-7

User: jhel  
Form ID: 149

Page 2 of 3  
Total Noticed: 55

Date Rcvd: Nov 18, 2019

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center  
(continued)

14996815 E-mail/PDF: cbp@onemainfinancial.com Nov 19 2019 03:48:00 ONEMAIN, P.O. BOX 3251,  
EVANSTVILLE, IN 47731-3251  
14983608 +E-mail/PDF: cbp@onemainfinancial.com Nov 19 2019 03:47:00 OneMain Financial,  
Attn: Bankruptcy, 601 Nw 2nd Street, Evansville, IN 47708-1013  
14983612 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Nov 19 2019 03:47:10  
Portfolio Recovery Associates, LLC, 120 Corporate Blvd, Norfolk, VA 23502  
15050372 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Nov 19 2019 03:47:09  
Portfolio Recovery Associates, LLC, PO Box 41067, Norfolk, VA 23541  
15022796 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Nov 19 2019 03:49:21  
Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541  
14983958 +E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Nov 19 2019 03:48:19  
PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021  
14983610 +E-mail/Text: RVSVCBICNOTICE1@state.pa.us Nov 19 2019 03:45:38  
Pennsylvania Department of Revenue, Bankruptcy Collection Unit,  
10th Floor Strawberry Square, 4th & Walnut Streets, Harrisburg, PA 17128-0001  
14983609 E-mail/Text: RVSVCBICNOTICE1@state.pa.us Nov 19 2019 03:45:38  
Pennsylvania Department of Revenue, Bankruptcy Division, PO Box 280946,  
Harrisburg, PA 17128-0946  
14996085 E-mail/PDF: resurgentbknotifications@resurgent.com Nov 19 2019 03:47:14  
Pinnacle Credit Services, LLC, Resurgent Capital Services, PO Box 10587,  
Greenville, SC 29603-0587  
14983611 +E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Nov 19 2019 03:47:09  
Portfolio Recovery Associates, LLC, PO Box 41021, Norfolk, VA 23541-1021  
15020126 E-mail/Text: bnc-quantum@quantum3group.com Nov 19 2019 03:45:33  
Quantum3 Group LLC as agent for, Comenity Bank, PO Box 788, Kirkland, WA 98083-0788  
15020125 E-mail/Text: bnc-quantum@quantum3group.com Nov 19 2019 03:45:33  
Quantum3 Group LLC as agent for, Comenity Capital Bank, PO Box 788,  
Kirkland, WA 98083-0788  
15074135 +E-mail/Text: bankruptcy@scccompanies.com Nov 19 2019 03:43:49 STONEBERRY Credit Dept.,  
1356 Williams Street, Chippewa Falls, WI 54729-1500  
14983613 +E-mail/PDF: gcsedi@recoverycorp.com Nov 19 2019 03:48:06 Synchrony Bank/Walmart,  
Attn: Bankruptcy Dept, Po Box 965060, Orlando, FL 32896-5060  
14997884 +E-mail/Text: BankruptcyNotice@upmc.edu Nov 19 2019 03:46:09 UPMC, 2 Hot Metal Street,  
Dist. Room 386, Pittsburgh PA 15203-2348  
15076190 +E-mail/Text: james.r.shear@hud.gov Nov 19 2019 03:46:17  
US Department of Housing and Urban Development, C/O HUD, 52 Corporate Circle,  
Albany, NY 12203-5166

TOTAL: 37

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr Bayview Loan Servicing, LLC, a Delaware Limited Li  
cr\* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021  
14989959\* Pennsylvania Department of Revenue, Bankruptcy Division PO Box 280946,  
Harrisburg, PA 17128-0946

TOTALS: 1, \* 2, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address  
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 20, 2019

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 18, 2019 at the address(es) listed below:

Anthony T. Kovalchick on behalf of Creditor Dep't of Revenue Office of Attorney General  
akovalchick@attorneygeneral.gov  
James Warmbrodt on behalf of Creditor Bayview Loan Servicing, LLC, a Delaware Limited  
Liability Company bkgroup@kmlawgroup.com

District/off: 0315-7

User: jhel  
Form ID: 149

Page 3 of 3  
Total Noticed: 55

Date Rcvd: Nov 18, 2019

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system (continued)

Mark G. Moynihan on behalf of Joint Debtor Linda J. Noland mark@moynihanlaw.net,  
moynihan.mark@gmail.com;moynihanmr71581@notify.bestcase.com  
Mark G. Moynihan on behalf of Debtor Steven J. Noland, Sr. mark@moynihanlaw.net,  
moynihan.mark@gmail.com;moynihanmr71581@notify.bestcase.com  
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov  
Ronda J. Winnecour cmeccf@chapter13trusteewdpa.com

TOTAL: 6